

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA
MIAMI DIVISION

CASE NO.: 2022-cv-20712-ALTMAN/Reid

PENINSULA PETROLEUM LIMITED,

Plaintiff,

v.

CI INTERNATIONAL FUELS LLC,

Defendant. /

**PLAINTIFF'S MOTION FOR EXTENSION OF TIME TO RESPOND TO
DEFENDANT'S MOTION TO DISMISS [D.E. 52]**

Plaintiff, PENINSULA PETROLEUM LIMITED ("Peninsula"), by and through undersigned counsel, hereby files its Motion for Extension of Time to Respond to Defendant's Motion to Dismiss [D.E. 52]:

1. This is a collection action by Peninsula for a debt that is due from CI Int'l related to marine fuel.
2. Pursuant to an extension, on December 22, 2022 Defendant filed its Motion to Dismiss for Forum Non Conveniens [D.E. 52].
3. Per Local Rule 7.1(c), Peninsula's response is due on January 5, 2023.
4. Undersigned counsel has been working diligently on its response. However, due to the intervening holidays and the issues raised by Defendant's Motion, more time is necessary to fully brief the matter.
5. Peninsula respectfully requests a two (2) week extension of time, up to and including January 19, 2023, to file its response to Defendant's Motion.

6. Peninsula makes this request in good-faith and with no intention of unnecessarily delaying the proceedings in this matter.

MEMORANDUM OF LAW

Federal Rule of Civil Procedure 6(b)(1)(A) grants this Court authority to enlarge the period in which acts are required to be done for good cause. Specifically, Rule 6(b)(1)(A) states that “[w]hen an act may or must be done within a specified time, the court may, for good cause, extend the time . . . with or without motion or notice if the court acts, or if a request is made, before the original time or its extension expires.” Accordingly, Rule 6(b)(1)(A) permits this Court the authority to extend the deadline for Peninsula to file its response to Defendant’s Motion to Dismiss for “good cause”. Fed. R. Civ. P. 6(b)(1)(A).

Here, the Undersigned seeks a brief two (2) week extension during in which to file its response due to the intervening holiday period. Plaintiff’s counsel makes this request in good-faith and with no intention of unnecessarily delaying the proceedings in this matter. Moreover, Defendant’s will not prejudiced by the relief sought, as Defendant’s counsel is on vacation until January 9, 2023¹.

CONCLUSION

Peninsula respectfully request this Honorable Court enter an order granting it a two (2) week extension of time to file its response of Defendant’s Motion to Dismiss, such that its response would be due by January 19, 2023.

¹ As indicated by opposing counsel’s office is response to efforts to hold a Local Rule 7.1. good-faith conference.

CERTIFICATE OF GOOD-FAITH COMPLIANCE

Undersigned counsel hereby certifies he has made reasonable efforts to confer with all parties or non-parties who may be affected by the relief sought in the motion, via email to opposing counsel and opposing counsel's designated contacts on December 27, 2022 and December 28, 2022. Opposing counsel's office responded that Attorney Dilican is out of the office until January 9, 2023 and they were unable to get a hold of her. Further, opposing counsel's office stated they are unable "to represent that Attorney Dilican does not have an objection regarding this extension without speaking to her."

Dated: December 29, 2022

Respectfully submitted,

By: /s/ Evan S. Gutwein
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CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on December 29, 2022 I electronically filed this document using the Court's CM/ECF system, which will automatically serve a copy on all counsel of record.

By: Evan S. Gutwein

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